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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,183	01/31/2000	Yukihiro Ozeki	32178-157380	3124

7590 03/09/2005

ALLEN WOOD  
RABIN & BERDO, P.C.  
1101 14TH STREET, N.W.  
SUITE 500  
WASHINGTON, DC 20005

EXAMINER
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PHILPOTT, JUSTIN M

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

09/494,183

Examiner

Justin M Philpott

Applicant(s)

OZEKI, YUKIHIRO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response, filed January 12, 2005.

2. ☒ The allowed claim(s) is/are 12-14,16-22 and 30.

3. ☒ The drawings filed on 31 January 2000 are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

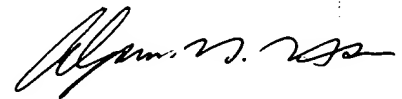
5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_



**ALPUS H. HSU  
PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

1. In the Response filed January 12, 2005, Applicant argues that claims 15 and 16 should not be re-numbered as 16 and 15, respectively, because it would change the scope of dependent claims 17-19.
2. With respect to the claim renumbering, MPEP Patent Rules §1.121(c)(1) requires that "all of the claims presented in a claim listing shall be presented in ascending numerical order". Prior to the Examiner's Amendment mailed January 10, 2005, claim 15 depended upon claim 16, which was listed after claim 15. This claim listing comprised incorrect numerical ordering. Accordingly, correction of this informality was required.
3. However, in order to both meet this requirement by MPEP Patent Rules §1.121(c)(1) and address Applicant's concerns with respect to the scope of dependent claims 17-19, the following Examiner's Amendment is provided.
4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
5. Authorization for this examiner's amendment was given in a telephone interview with Mr. Allen Wood on March 1, 2005.
6. The application has been amended as follows:

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In claim 15 (previously identified as claim 16 prior to the Examiner's Amendment mailed January 10, 2005), the claim has been renumbered from "15" to -- 16 --.

Claim 16 (previously identified as claim 15 prior to the Examiner's Amendment mailed January 10, 2005) is canceled.

Claim 30 is added to replace the canceled claim 16 as follows:

Claim 30. (new) The demultiplexer of claim 16, wherein the control section selectively shifts the phase of the divided clock signal or maintains the phase substantially unchanged, in response to the select signal and the judgment signal.

7. The above Examiner's Amendment effectively cancels the claim reordering in Examiner's Amendment mailed January 10, 2005. Claim 16 has been returned to its proper designation as "claim 16", and dependent claim 15 has been canceled and added as new claim 30 to maintain proper numerical ordering.

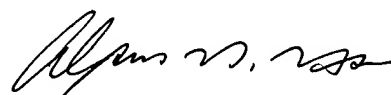
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M Philpott whose telephone number is 571.272.3162. The examiner can normally be reached on M-F, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on 571.272.3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Justin M Philpott



ALPUS H. HSU  
PRIMARY EXAMINER